

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

ANGELA NAILS,

Plaintiff

v.

AMGUARD INSURANCE CO., *et al.*,

Defendants

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3:23-CV-557

(JUDGE MARIANI)

ORDER

AND NOW, THIS 18th DAY OF AUGUST, 2023, upon *de novo* review of

Magistrate Judge Martin Carlson's Report & Recommendation ("R&R") (Doc. 20), Plaintiff's

Objections thereto (Docs. 22, 23),¹ and all other relevant documents, **IT IS HEREBY**

ORDERED THAT:

1. The R&R (Doc. 20) is **ADOPTED** for the reasons stated therein.
2. Plaintiff Angela Nails' Objections (Docs. 22, 23) are **OVERRULED**.²

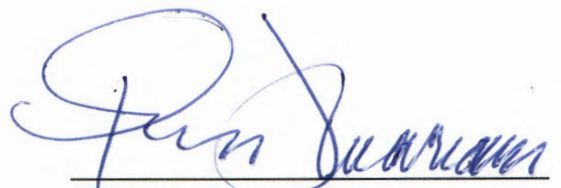
¹ Following the issuance of two R&Rs by Judge Carlson (Docs. 20, 21) on July 10, 2023, Plaintiff filed two almost identical documents which, liberally construed, may be considered as objections to portions of the R&Rs. Recognizing Plaintiff's *pro se* status, the Court will consider these filings as objections and perform a *de novo* review of Judge Carlson's R&Rs.

² Although Plaintiff's Objections (Docs. 22, 23) request that the Court allow the action to proceed against Defendant AmGUARD, Plaintiff fails to address any of Judge Carlson's legal reasoning and conclusion. Upon review, the Court agrees with Judge Carlson that Pennsylvania law precludes Plaintiff from maintaining a direct action against AmGUARD.

3. Defendant AmGUARD Insurance Company's Motion to Dismiss (Doc. 7)

is **GRANTED**.

4. The claims against Defendant AmGUARD are **DISMISSED WITH PREJUDICE**.



Robert D. Mariani
United States District Judge